

REMARKS

SUMMARY

Claims 1-21 are pending.

Claims 1-4, 7, 8,10,13,14,16,19, and 20 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Robin, U.S. Patent Publication No. 20020005935 ("Robin").

Claims 5, 6, 11, 12, 17, and 18 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Robin*, further in view of alleged official notice.

Claims 9, 15, and 21 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Robin*, further in view of Becker, U.S. Patent Publication No. 20030125609 ("Becker").

APPLICANTS' RESPONSE

In this Response, Applicants present arguments concerning the patentability of claims 1-21 to address the Examiner's rejections. Applicants' silence with regard to any aspect of the Examiner's rejections of the dependent claims is based on Applicants' contention that the rejections are moot based on Applicants' remarks relative to the independent claim from which the dependent claims depend.

Applicants have amended claims 1, 10, and 16 to better clarify the claimed subject matter. No new matter is introduced by virtue of these amendments. Support for the amendments can be found throughout the specification, for example, in the published application at paragraph [0021].

35 U.S.C. § 102 REJECTIONS

Claims 1-4, 7, and 8

As amended, claim 1 recites, *inter alia*, “wherein the identity of the patient is not known in the product oriented longitudinal data, patient oriented longitudinal data and prescriber oriented longitudinal data”. *Robin* discloses “[a] system and method for providing telemedical direct perimetry and ophthalmoscopy to support optometric providers in the screening, diagnosis, treatment and management of glaucoma patients.” *Robin*, Abstract. However, *Robin* does not disclose or suggest wherein the identity of the patient is not known in the product oriented longitudinal data, patient oriented longitudinal data and prescriber oriented longitudinal data” as recited in amended claim 1. In particular, *Robin* discloses, “[a]gain referring back to the home page of FIG. 2, the user can depress the "Patient Database" button of the primary menu bar to access the patient medical database as compiled by the data submission and collection module 100. This provides direct access to the "Locate Existing Patient" screen show in FIG. 16, by which patient records in the database can be queried on the basis of a variety of data elements such as social security number, patient number, or name.” *Robin*, Para. [0091].

Accordingly, Applicants respectfully submit that nothing in *Robin* discloses or suggests “wherein the identity of the patient is not known in the product oriented longitudinal data, patient oriented longitudinal data and prescriber oriented longitudinal data” as recited in amended claim 1. Applicants therefore request withdrawal of the rejections to claim 1 and, at least because of their dependence therefrom, claims 2-4, 7, and 8.\

Claims 10,13,14,16,19, and 20

Similar to amended claim 1, Claims 10 and 16 recite, *inter alia*, “wherein the identity of the patient is not known in the product oriented longitudinal data, patient oriented longitudinal data and prescriber oriented longitudinal data”. Applicants therefore request withdrawal of the rejections to claims 10 and 16, and at least because of their dependence from the claims from which they depend, claims 13, 14, 19, and 20, for at least the same reasons as amended claim 1.

35 U.S.C. § 103 REJECTIONS

Applicants request withdrawal of the rejections to claims 5, 6, 9, 11, 12, 15, 17, 18, and 21 for at least the same reasons as the respective, independent claims from which these claims depend.

CONCLUSION

Applicants respectfully submit that this application is now in condition for allowance.
Reconsideration and prompt allowance of which are respectfully requested.

The Examiner is invited to contact the undersigned at (212) 408-2517 if any additional information or assistance is required.

Applicants believe that no additional fee is due in connection with the filing of this response other than the fee for the 3 month extension. If any additional fee is due, or overpayment made, with regard to this response, Applicants authorize the Director to charge any such fee, and credit any overpayment, to Deposit Account No. 02-4377.

Respectfully submitted,

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